

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ROBINSON *et al.*

Appl. No. to be assigned (the accompanying  
continuation of 09/722,315)

Filed: Herewith

For: MODULAR ASSEMBLY OF  
ANTIBODY GENES,  
ANTIBODIES PREPARED  
THEREBY AND USE

Art Unit: to be assigned

Examiner: to be assigned

Atty Dkt: 0610.005000I/MAC

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
Washington, DC 20231

Sir:

In advance of prosecution, Applicants submit the following amendments and remarks.

This Amendment is provided in the following format:

(A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;

(B) Starting on a separate page, appropriate remarks and arguments. 37 C.F.R. § 1.116; and

(C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and

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any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.

### AMENDMENTS

#### *In the Specification*

At page 1, delete paragraph 1 and replace therein the following:

#### CROSS REFERENCE TO RELATED APPLICATIONS

This application is a continuation of U.S. Application No. 09/722,315, filed November 28, 2000, which is a continuation of U.S. Application No. 08/472,691, filed June 6, 1995 (now U.S. 6,204,023), which is a continuation of U.S. Application No. 08/450,731, filed May 25, 1995 (now U.S. 5,693,493), which is a divisional of U.S. Application No. 08/299,085, filed August 18, 1994 (now U.S. 5,595,898), which is a continuation of U.S. Application No. 07/987,555, filed December 8, 1992 (abandoned), which is a continuation of U.S. Application No. 07/501,092, filed March 29, 1990 (abandoned), which is a continuation-in-part of U.S. Application No. 07/077,528, filed July 24, 1987 (abandoned), which is a continuation-in-part of PCT Application No. PCT/US86/02269, filed October 27, 1986 (abandoned), which is a continuation-in-part of U.S. Application No. 06/793,980, filed November 1, 1985 (abandoned); said U.S. Application No. 07/501,092 is also a continuation-in-part of U.S. Application No. 07/142,039, filed January 11, 1988 (abandoned). The entire disclosure of the prior application,

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U.S. Application No. 09/722,315, from which a declaration was supplied, is considered a part of the disclosure of the above-captioned continuation application and is hereby incorporated by reference herein. The contents of U.S. Application No. 07/077,528, PCT Application No. PCT/US86/02269, U.S. Application No. 06/793,980 and U.S. Application No. 07/142,039 are fully incorporated by reference herein.

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### REMARKS

#### ***I. Status of the Claims***

Claims 1-94 are pending in this application.

#### ***II. The Amendment to the Specification***

The specification has been amended to update the priority claim in the cross-reference to related applications. Also, the PCT publication number (PCT/WO 87/02671) was replaced with the corresponding PCT application number (PCT/US86/02269).

Support for the second sentence, incorporating U.S. Application No. 09/722,315 by reference, is found, *inter alia*, in box 17 of PTO/SB/05, as filed with the application.

Support for the third sentence, incorporating other U.S. applications by reference is found, *inter alia*, in paragraph 1 of the originally filed application.

#### ***III. Summary***

In view of the preliminary amendment and the above comments, it is believed that the present application is now in condition for immediate allowance. Early notice to this effect is earnestly solicited. If in the Examiner's opinion a phone conference may expedite prosecution of

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this application, the Examiner is encouraged to contact Applicants' undersigned agent at  
(202)371-2600.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX, P.L.L.C.

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Date: *January 9, 2002*

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0050009.PA2/mac/610-4(2)

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**Version with markings to show changes made**

Paragraph 1 on page 1 was deleted and replaced with:

**CROSS REFERENCE TO RELATED APPLICATIONS**

This application is a continuation of U.S. Application No. 09/722,315, filed November 28, 2000, which is a continuation of U.S. Application No. 08/472,691, filed June 6, 1995 (now U.S. 6,204,023), which is a continuation of U.S. Application No. 08/450,731, filed May 25, 1995 (now U.S. 5,693,493), which is a divisional of U.S. Application No. 08/299,085, filed August 18, 1994 (now U.S. 5,595,898), which is a continuation of U.S. Application No. 07/987,555, filed December 8, 1992 (abandoned), which is a continuation of U.S. Application No. 07/501,092, filed March 29, 1990 (abandoned), which is a continuation-in-part of U.S. Application [Serial] No. 07/077,528, filed July 24, 1987 (abandoned), which is a continuation-in-part of PCT Application No. [WO/87/02671] PCT/US86/02269, filed October 27, 1986 (abandoned), which is a continuation-in-part of U.S. Application [Serial] No. 06/793,980, filed November 1, 1985[.] (abandoned); said U.S. Application No. 07/501,092 [The present application] is also a continuation-in-part of U.S. Application [Serial] No. 07/142,039, filed January 11, 1988 (abandoned). The entire disclosure of the prior application, U.S. Application No. 09/722,315, from which a declaration was supplied, is considered a part of the disclosure of the above-captioned continuation application and is hereby incorporated by reference herein. The contents of [the applications cited above] U.S. Application No. 07/077,528, PCT Application No. PCT/US86/02269, U.S. Application No. 06/793,980 and U.S. Application No. 07/142,039 are fully incorporated by reference herein.

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